

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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In Re: Methyl Tertiary Butyl Ether (õMTBEö)
Products Liability Litigation

Master File No. 1:00-1898
MDL 1358 (SAS)
M21-88
ECF Case

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This document relates to the following case:

City of New York v. Amerada Hess Corp., et al.
Case No. 04 Civ. 3417

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**PLAINTIFF CITY OF NEW YORK’S PHASE II TRIAL EXHIBIT LIST
(EXHIBIT 3 OF THE PROPOSED PRETRIAL ORDER)**

Plaintiff the City of New York (õthe Cityö), by and through its attorneys, SHER LEFF LLP, hereby makes the following pretrial disclosure of trial exhibits for Phase Two. With this filing the City does not waive any right it may otherwise have to supplement or amend its exhibits.

The City lists 2136 exhibits for its case-in-chief for the trial of Phase Two. The exhibit list also includes 3 appendices, which contain voluminous documents the City hopes to largely avoid introducing at trial through stipulation with ExxonMobil. Appendix A contains documents related to the site remediation files for the contamination sites in the RGA, such as records of water sampling and spill reports at the sites. Appendix B contains documents related to volumes of water pumped from the Cityõs wells, such as daily pumping logs. Appendix C contains water quality data, such as lab reports of contaminant levels in water samples. Should stipulations be

reached as to the admissibility of the information contained in the Appendices, the City would expect to introduce a small number of summary exhibits as well as a small subset of the original documents listed in the Appendices and will update its exhibit list appropriately at that time.

Dated: San Francisco, California
June 15, 2009

MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
Attorney for Plaintiff City of New York
100 Church Street
New York, New York 10007
(212) 788-1568

/s/ JOSHUA STEIN
VICTOR M. SHER (*pro hac vice*)
JOSHUA G. STEIN (*pro hac vice*)
NICHOLAS G. CAMPINS (*pro hac vice*)
LESLEY E. WILLIAMS (LW8392)

SHER LEFF LLP
450 Mission Street, Suite 400
San Francisco, CA 94105
(415) 348-8300

Attorneys for Plaintiff City of New York